

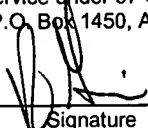


AUG 13 2004

office petition

DAC

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE OFFICE OF PETITIONS

In re Application of:  
Tongbi Jiang and Zhiqiang Wu

Assignee: Micron Technology

Serial No.: 09/740,751

Filed: December 19, 2000

Title: Method for Forming Novel Zero Force  
Insertion Sockets Using Negative Thermal  
Expansion Materials (*as amended  
previously*)

§  
§ Group Art Unit: 3729  
§  
§  
§ Examiner: Rick K. Chang  
§  
§ Examiner phone: (703) 308-4784  
§  
§  
§ Atty. Dkt. No.: 102-0118US2  
§  
§

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AUG 18 2004

WITHDRAWAL OF APPLICATION FROM ISSUE  
PURSUANT TO 37 C.F.R. § 1.313(A)

TECHNOLOGY CENTER R3700

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA, 22313-1450

Sir:

A Notice of Allowance issued for this application on August 5, 2004. However, Applicant respectfully requests that the application be withdrawn from issue so that the enclosed Office Action Response and Information Disclosure Statement (IDS) can be considered by the Examiner. A Request for Continued Examination (RCE) along with the appropriate RCE fee under 37 C.F.R. § 1.17(e) is also submitted herewith.

08/13/2004 CNGUYEN 00000035 501922 09740751

02 FC:1460 130.00 DA

An explanation of why this application is being withdrawn from issue follows.

**Explanation:**

This application had become abandoned, and on June 22, 2004, Applicant filed a Petition to Revive the application (enclosed), which request was granted by the Office of Petitions on July 13, 2004. Along with the Petition, Applicant filed the enclosed office action response, the enclosed Information Disclosure Statement (IDS), and the enclosed Request for Continued Examination (RCE) (on June 22, 2004).

However, it appears that the Examiner in the Notice of Allowance did not take either the June 22, 2004 office action response nor the IDS into account. Instead, the Examiner addressed (and allowed) Applicant's previous response filed on February 8, 2003. However, as explained in the Petition, the February 8, 2003 response had never been entered by the Examiner. Moreover, in the Petition, Applicant made clear that he wished the June 22, 2004 office action response (and not the previously unentered February 8, 2003 response) to be considered, and specifically noted in the June 22, 2004 RCE that the enclosed amendment of June 22, 2004 was to be considered, not the amendment of February 8, 2003.<sup>1</sup>

That the examiner consider the June 22, 2004 office action response and IDS in this application is important: the June 22, 2004 office action response adds new claims to the application over the February 8, 2003 response, and amends the preexisting claims in ways different from the February 8, 2003 response; moreover, the June 22, 2004 IDS cites references which to this point have not formally been made of record in this application.

Applicant called Examiner Chang on August 11, 2004 to discuss this issue, and to see why the June 22, 2004 office action response and IDS were not considered. The Examiner

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<sup>1</sup> Note that the box on the June 22, 2004 RCE form does not request consideration of any amendments "previously submitted."

though perhaps these papers had simply been lost. The Examiner recommended that Applicant fix this issue through an after-final amendment pursuant to Rule 312, but Applicant is not convinced that consideration of completely new claims, new amendments, and new references is proper under Rule 312. Accordingly, Applicant has opted here to file another RCE, and to resubmit the June 22, 2004 office action response and IDS to ensure the Examiner's full consideration of them.

\* \* \* \* \*

*To summarize, Applicant requests that the Examiner enter and consider the enclosed June 22, 2004 office action response and IDS.*

As the issue fee has not been paid for this application and because an RCE is being filed herewith, Applicant understands pursuant to 37 C.F.R. § 1.313(a) that neither a petition nor a petition fee is necessary. However, should any fee be due in connection with these papers, this Office is authorized to deduct such fees from Deposit Account 501922, referencing matter number 102-0118US2.

Should the Examiner have any questions concerning this response, he is encouraged to contact the undersigned.

Respectfully submitted,



Terril G. Lewis, Reg. No. 46,065

Wong, Cabello, Lutsch, Rutherford  
& Brucculeri, LLP

20333 SH 249

Houston, Texas 77070

(832) 446-2422

Fax: 832 446-2424

8/12/04